

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

A.O.A, et al.,)
)
 Plaintiffs,)
)
 v.) Case No. 4:11 CV 44 CDP
)
 IRA L. RENNERT, et al.,)
)
 Defendants.)

MEMORANDUM AND ORDER

Having fully reviewed the parties' expedited briefs on plaintiffs' motions to compel production of expert witnesses for remote deposition, I agree with defendants that an additional one-month extension to complete expert witness depositions and the corresponding extension of other deadlines is appropriate because of the coronavirus emergency. Defendants' suggestion is reasonable – to delay again for one month, and then, if it turns out that it is still not possible to conduct live depositions, to go forward with the depositions remotely. Because conducting live depositions is usually preferable to conducting depositions remotely, allowing another short delay in hopes that live depositions will be possible is a sensible approach to this problem. Of course, if the depositions cannot be conducted live during the month of May, they will need to go forward remotely.

Although any delay causes some prejudice, in this case and because of the coronavirus emergency, the public interest outweighs the limited prejudice caused by this short delay.

Accordingly,

IT IS HEREBY ORDERED that plaintiffs' motion and amended motion to compel production of expert witnesses for remote deposition [1093] [1096] are **DENIED**.

IT IS FURTHER ORDERED that the deadline for completion of expert depositions is extended by one month, and the other deadlines are similarly extended. The Court will separately enter an amended case management order today based on the defendants' proposal but with some changes.

IT IS FURTHER ORDERED that the parties must meet and confer and schedule the three depositions for dates certain during the last half of the month of May. If at that time it is still not possible to conduct the depositions live, then they must go forward remotely on those same dates. The parties will be expected to report on their agreed schedule at the telephone conference with the undersigned on April 23, 2020.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 10th day of April, 2020.